APPENDICES

APPENDIX A-1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 64-143-CIV-EC

EDMUND J. GONG, ET AL.,
Plaintiffs,

vs.

CLAUDE R. KIRK, as Governor of the State of Florida, ET AL.,
Defendants.

FINAL ORDER

In accord[illegible] with the opinion of the court, it is hereby ordered, ad[illegible]dged and decreed:

1. Defendants are hereby enjoined from enforcing Florida Statute §8.01 (1965).

2. Candidates for the office of congressman for each of the districts provided by this order shall be nominated in 1968, as provided by law, and a congressman shall be elected from each district at the general election to be held in 1968.

3. The State of Florida is hereby divided into twelve congressional districts, designated by the following numbers and areas:

(1) The first congressional district is constituted by and composed of the counties of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Jackson, Washington, Bay and Gulf.

(2) The second congressional district is constituted by and composed of the counties of Liberty, Clay, Gadsden, Leon,

Franklin, Wakulla, Jefferson, Madison, Taylor, Hamilton, Calhoun, Suwanee, Lafayette, Dixie, Columbia, Gilchrist, Levy, Alachua, Bradford, Union, Baker, Putnam and Nassau.

(3) The third congressional district is constituted by and composed of the county of Duval less the following numbered precincts as the same existed on January 1, 1966: Precincts No. 36-A, 36, 31, 31-A, 31-B, 34-A, 35, 30, 30-A, 29-E, 29-J, 29-K, 28-C, 28-I, 29-H, 29-G.

(4) The fourth congressional district is constituted by and composed of the counties of St. Johns, Flagler, Citrus, Hernando, Sumter, Marion, Lake, Volusia, and Seminole; that part of Duval County excluded from the third congressional district in subsection (3); and the following numbered precincts in Brevard County as the same existed on January 1, 1966: Precincts No. 1, 14, 16, 24, and 36.

(5) The fifth congressional district is constituted by and composed of the counties of Orange, Indian River, Osceola, and all of Brevard County except that part enumerated by precincts in subsection (4).

(6) The sixth congressional district is constituted by and composed of the county of Hillsborough and the following numbered precincts in Polk County as the same existed on January 1, 1966: Precincts No. 4, 5, 8, 9, 17, 54, 55, 56, and 57.

(7) The seventh congressional district is constituted by and composed of the counties of Lee, Charlotte, DeSoto, Hardee, Sarasota, Manatee, and all of Polk County except that part enumerated by precincts in subsection (6).

(8) The eighth congressional district is constituted by and composed of the counties of Pinellas and Pasco.

(9) The ninth congressional district is constituted by and composed of the counties of Collier, Palm Beach, Hendry, Martin, St. Lucie, Highlands, Okeechobee, Glades, and the following numbered precincts in Broward County as the same existed on January 1, 1966: Precincts No. 1, 1-A, 1-B, 2, 2-A, 2-B, 2-C, 3, 4, 4-A, 4-B, 4-C, 4-D, 4-E 5-, 5-A, 6, 6-A, 7, 7-A, 8, 9, 9-A, 10, 11, 11-A, 11-B, 11-C, 11-D, 11-F, 12-A, 12-B, and 12-C.

(10) The tenth congressional district is constituted by and composed of all of Broward County except that part enumerated by precincts in subsection (9); and that part of Dade County included within the following numbered precincts as the same existed on January 1, 1966: Precincts No. 2, 3, 240, 239, 241, 12, 4, 5, 6, 215, 7, 242, 211, 212, 213, 214 8, 315, 9, 246, 247, 216, 10, 243, 15, 245, 249, 250, 251, 17, 18, 19, 20, 21, 22, 23, 248, 44, 217, 253, 29, 28, 27, 254, 26, 25, 24, 255, and 263.

(11) The eleventh congressional district is constituted by and composed of the portion of Dade County lying south of a line described as follows:

Commencing at the point of intersection of the North county line of Dade County with the East line of Section 34, township fifty-one south (T 51 S), range forty-two east (R 42 E); thence Southerly along said section line to NE 175th Street; thence Westerly along NE 175th Street to NE 22nd Avenue; thence Northerly along NE 22nd Avenue to NE 183rd Street; thence Westerly along

NE 183rd Street to NE 19 Avenue; thence Southerly along NE 19th Avenue to NE 176th Street; thence Westerly to the center line of Snake Creek Canal; thence Northwesterly along the center line of Snake Creek Canal to NE 183rd Street; thence Westerly along NE 183rd Street to NE 10th Avenue; thence Southerly along NE 10th Avenue to State Road 826; thence Southeasterly along State Road 826 to NE 14th Avenue; thence South along NE 14th Avenue to NE 149th Street; thence East along NE 149th Street to West Dixie Highway; thence Southwesterly along the West Dixie Highway to NE 140th Street; thence East along NE 140th Street to NE 16th Avenue; thence South along NE 16th Avenue to NE 121st Street; thence West along NE 121st Street to NE 8th Avenue; thence Southerly along NE 8th Avenue to the center line of Biscayne Canal; thence Northwesterly along the center line of the Biscayne Canal to the West Dixie Highway; thence Southwest along West Dixie Highway to NE 119th Street; thence West along NE and NW 119th. Street and Gratigny Drive to Red Road; thence North on Red Road to NW 122nd Street; thence West along NW 122nd Street and the extensions thereof to the West line of Dade County;

and lying north of a line described as follows:

Commencing at the point of intersection of the West county line of Dade County with the Tamiami Trail; thence Easterly along the Tamiami Trail to SW 68th Avenue; thence Northerly to the center line of West Flagler Street, thence Westerly along the center line of West Flagler Street to the center line of the Tamiami Canal; thence Easterly along the center line of the Tamiami Canal to its intersection with NW 20th Street; thence

Easterly along NW 20th Street to NW 12th Avenue; thence Southerly along NW 12th Avenue to the North bank of the Miami River; thence Easterly along the North bank of the Miami River to NW 11th Avenue; thence South along NW 11th Avenue to the center line of West Flagler Street; thence Westerly along the center line of West Flagler Street to SW 13th Avenue; thence Southerly along SW 13th Avenue to SW 8th Street; thence Easterly along SW 8th Street to the city limits of the city of Miami; thence East and Southeasterly to the Atlantic Ocean at Norris Cut.

Said watercourses, streets, avenues, roads and city limits being referred to as the same existed on January 1, 1966.

(12) The twelfth congressional district is constituted by and composed of all of Monroe County and those precincts in Dade County lying south of the southern boundary line of the eleventh congressional district described in subsection (11).

DONE and ORDERED this 2nd day of August, 1967, at Miami, Florida.

DAVID DYER
United States Circuit Judge

EMETT C. CHOATE
Senior United States District Judge

WILLIAM A. McRAE, JR.
United States District Judge

App. 6

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

NO. 64-143-CIV-EC

EDMUND G. GONG, et al.,
Plaintiffs,

vs.

CLAUDE R. KIRK, as Governor of the State of Florida, et al.,
Defendants.

OPINION

On March 3, 1964, plaintiffs, each a citizen of the United States and of Florida, and each a qualified voter in the county of his residence and in the congressional district in which he resides, brought an action against the Governor, the Secretary of State, the members of the Boards of County Commissioners of Dade and Broward counties, and the members of the Board of State Canvassers of the State of Florida. The plaintiffs seek a declaration that Fla. Stat. §8.01 is unconstitutional, an injunction against the enforcement of that statute, and further equitable relief. Plaintiffs allege that the division of the State of Florida into twelve congressional districts made by Fla. Stat. §8.01 was not determined on the basis of equal population of these districts, and is in violation of Article I and the fourteenth amendment of the United States Constitution.

On May 11, 1964, plaintiff's request for a preliminary injunction was denied, and further decision was reserved until after the 1965 session of the Florida Legislature. That Legislature enacted Ch. 65-2441, Fla. Laws of 1965, which amended Fla. Stat. §§8.01 and 8.04. On March 1, 1966, the court found

that the 1965 act met the constitutional standard of *Wesberry v. Sanders*, 376 U.S. 1(1964), "on a temporary basis."[1]

An appeal to the United States Court of Appeals for the Fifth Circuit from the March 1, 1966, order resulted in a ruling that the district judge and the appellate court were without jurisdiction, since a three-judge court was required under 28 U.S.C. §2281. *Gong v. Kirk*, 375 F.2d 728 (5th Cir. 1967).

Pursuant to the mandate of the Fifth Circuit a three-judge district court was convened. A pre-trial hearing was held on June 30, 1967. At the hearing the parties submitted all issues and evidentiary matters and stipulated that no testimony need be taken and that no further hearing need be held.[2]

Florida's total 1960 population according to the official decennial federal census is 4,951,560. The use of the federal de-

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[1]The order provided that the court "retains jurisdiction of this case until 60 days after the next [1967] session of the Florida Legislature so as to then further determine whether the Legislature has redistricted the State of Florida into congressional districts meeting the standard established by *Wesberry v. Sanders*, in light of the then situation." A further order, dated March 7, 1966, directed the Attorney General of the State of Florida to suggest to the Governor "that it is important that he consider expanding his call for a Special Session of the Legislature so that the Legislature might consider any further changes in Congressional reapportionment that would bring a closer approximation of equality in the districts than now exists under the present law, keeping in mind that it is the duty of the Governor and the Legislature to comply with the law governing reapportionment as closely as possible."

In fine, various sessions of the Florida Legislature have been given opportunities to fulfill their constitutional duty to provide for proper congressional representation for this state. They have failed to do so.

[2]The court has stated that in the event the 1967 Legislature, then in regular session, acted on the redistricting matter, the cause would be reopened for further presentations. The Legislature has now adjourned its regular session without passing a redistricting bill.

cennial census is provided as a basis for constitutional apportionments by Section 5, Article VII, of the Florida Constitution. The federal decennial census meets the minimal requirements of the equal protection clause, and no other census or population computation has been shown to be accurate. *Swann v. Adams*, Cause No. 62-186-CIV-DD, U.S. Dist. Ct., So. Dist. of Fla., Findings of Fact and Conclusions of Law, Feb. 13, 1967; *Reynolds v. Sims*, 377 U.S. 533 (1964).

As a result of the 1960 decennial census, and in accordance with 2 U.S.C. §2a, Florida is entitled to twelve members of the House of Representatives. Dividing Florida into twelve congressional districts, each should ideally consist of 412,630 persons.

The present twelve congressional districts are established by Fla. Stat. §8.01, Ch. 65-2441, Laws of Florida, 1965. The district with the largest population contains 465,160 (+12.73%); the district with the smallest population contains 374,665 (−9.21%). The maximum total variance is 21.94%. The present congressional districts are unconstitutional as in violation of Article I, section 2 of the Constitution of the United States, and the equal protection clause of the fourteenth amendment. *Duddleston v. Grills*, 385 U.S. 455 (1967), *vacating*, *Grills v. Branigin*, 255 F.Supp. 155 (S.D. Ind. 1966); *Swann v. Adams*, 385 U.S. 440 (1967); *Reynolds v. Sims*, 377 U.S. 533 (1964), *Wesberry v. Sanders*, 376 U.S. 1 (1964); *cf.*, the order of March 1, 1966, entered in the instant cause.

The court has considered the redistricting plans proposed by the parties and by Dr. Manning J. Dauer,[3] amicus curiae, to-

[3]Professor of Political Science, University of Florida.

gether with the maps, population charts, and briefs in support of the plans. One plan offered by plaintiffs calls for six at-large districts and six area districts. The court has previously considered requiring congressional elections to be held at-large. See Order of May 13, 1964, filed in this cause. At-large elections, though clearly meeting the one-man one-vote mandate, are not in the best interest of the citizens of this state. The cost of campaigning state-wide every two years for a congressional office would be prohibitive for many qualified candidates. At-large representation is also objectionable in that it would remove congressmen from that more immediate contact with their constituents which has been traditional in district representation. This plan is therefore rejected.

The other four proposals[4] are rejected in favor of a plan largely based on House Bill 3088.[5] In the plan adopted by the court, the district with the largest population contains 415,704 persons (+.74%); the district with the smallest population contains 407,677 persons (—1.20%). The total maximum deviation from mathematical equality is 1.94%.

Since federal census figures are not available by presently established precincts, a calculation of the population of each relevant voting precinct was made by determining the ratio, based on the most recent voter registration figures, of the registered voters in each voting precinct to the total registered voters of the particular county and applying that ratio to the

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[4]The total maximum deviation in these proposals are as follows:

Plaintiffs' Exhibit A - 2.98%
Defendants' House Bill 3088 - 2.81%
Defendants' Senate Bill 1652 - 8%
Dr. Dauer's Plan - 2.33%

[5]House Bill 3088 was introduced, but failed to pass, in the 1967 Legislature.

county population as shown by the 1960 decennial census: *i.e.*, county registration is to county population as precinct registration is to precinct population. This formula was suggested by both plantiffs and defendants.[6]

The congressional districting for the State of Florida, shall contain twelve districts as follows:

DISTRICT	POPULATION	% DEVIATION FROM EQUALITY
1	415,496	+ .69
2	407,677	−1.20
3	411,683	− .23
4	409,716	− .71
5	409,532	− .75
6	415,704	+ .74
7	414,474	+ .44
8	411,450	− .29
9	409,952	− .64
10	414,998	+ .57
11	414,759	+ .51
12	414,691	+ .49
Smallest—		−1.20% (2nd Dist.)
Largest—		+ .74% (6th Dist.)
Total Maximum Deviation—		1.94%

[6]In his scholarly brief Dr. Dauer urged the use of federal census enumeration districts. These are small areas each with a population of close to 1,000 inhabitants, for which census data are tabulated.

Dr. Dauer claims that these enumeration districts are accurate, and that by using them as building blocks it would be possible to arrive at districts with a deviation from largest to smallest district of two per cent. Maps of each county, showing the number of inhabitants in and the geographic boundaries of each enumeration district are the working papers for figures published by the United States Bureau of Census. These working papers are not published generally but photostats are sold by the Bureau, and a set is available at the College of Business Administration, University of Florida. However, the data is not available in county records, and it is not feasible for the court to seek out, correlate and digest the voluminous documents and data. Furthermore, as previously noted, the plan adopted by the court contains a total maximum deviation of less than two per cent.

The areas of these twelve districts are as set forth in the final order entered this day.

Dated this 2nd day of August, 1967.

DAVID DYER
United States Circuit Judge

EMETT C. CHOATE
Senior United States District Judge

WILLIAM A. McRAE, JR.
United States District Judge

APPENDIX A-2

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

EDMOND J. GONG, et al.,
Plaintiffs,
v.
CLAUDE R. KIRK, as Governor of the State of Florida, et al.,
Defendants.
NO. 64-143-CIV-EC

ORDER

The undersigned judges have carefully studied the "Suggestion for Reconsideration of Judgment and Final Order and Motion to Stay Proceedings" heretofore filed herein by the Attorney General of the State of Florida. The Honorable Emett C. Choate, Senior District Judge, is out of the United States and accordingly is not available to act.

Upon consideration, it is

ORDERED AND ADJUDGED that the judgment and final order entered August 2, 1967, is hereby reaffirmed, and the motion to stay is hereby denied.

DONE AND ORDERED this 27th day of September, 1967.

DAVID W. DYER
United States Circuit Judge

WILLIAM A. McRAE, JR.
United States District Judge

Copies to counsel

APPENDIX A-3

IN THE

United States Court of Appeals

No. 23640

EDMOND J. GONG, ET AL.,
Appellants,

v.

CLAUDE R. KIRK, as Governor of the State of Florida, ET AL,
Appellees.

APPEALS FROM THE UNITED STATES DISTRICT COURT FROM THE SOUTHERN DISTRICT OF FLORIDA

(March 27, 1967.)

Before PHILLIPS,* THORNBERRY and DYER, Circuit Judges.

PER CURIAM: Appellants, by this litigation, bring into issue the constitutional validity of Florida's Congressional apportionment plan, Ch. 65-2441, Fla. Laws of 1965, Section 8.01, Florida Statutes, and seek to enjoin the implementation thereof. Appellants urged below that a three-judge court be convened to consider the matter pursuant to 28 U.S.C. § 2281.[1] The

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*Of the Tenth Circuit, sitting by designation.

[1] 28 U.S.C. § 2281 reads as follows:

An interlocutory or permanent injunction restraining the enforcement, operation or execution of any State statute by restraining the action of any

district court declined to convene a thret-judge court and proceeded to hear the matter as a single judge. The district court then held the Florida apportionment statute constitutional on a "temporary basis," but urged the Florida legislature to reexamine the plan its next session. From the district court's order, this appeal is taken.

After a careful review of the case law in this area, we conclude that the district court erred in holding that a three-judge court was not required, and that he was therefore without jurisdiction as consider the matter as a single judge.[2] We, therefore, are likewise without jurisdiction to consider the merits of this case and are compelled to dismiss the appeal.[3] The

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officer of such State in the enforcement or execution of such statute or of an order made by an administration board or commission acting under State statutes, shall not be granted by any district court or judge thereof upon the ground of the unconstitutionality of such statute unless the application therefor is heard and determined by a district court of three judges under section 2284 of this title. June 25, 1948, c. 646, 62 Stat. 968.

[2]The action of the district court based, no doubt, upon *Bailey v. Patterson*, 1962, 369 U.S. 31, 82 S.Ct. 549, 7 L.Ed.2d 512, wherein the Supreme Court stated that "three judges are . . . not required when, as here, prior decisions make frivolous any claim that a state statute *on its face* is not unconstitutional." *Id* at 33, 82 S.Ct. at 551, 7 L.Ed.2d at ..... (Emphasis added.) Both *Bailey* and *Turner v. City of Memphis*, 1962, 369 U.S. 350, 82 S.Ct. 805, 7 L. Ed.2d 762, the only other Supreme Court case in which the *Bailey* doctrine has been applied, involved attacks upon state statutes or regulations requiring segregation of facilities of public accommodation. In both cases the legislation involved revealed its unconstitutionality on its face. Clearly, at the time the district court had this matter before it the Florida Apportionment Plan of 1965 could not have been considered unconstitutional on its face. The *Bailey* rationale, we feel, was not meant to be applied where the alleged unconstitutionality can only be determined following an extensive examination of the facts involved. (As in the case of the review of a state apportionment plan.)

[3]See *Stratton v. St. Louis S.W. Ry*, 1930, 282 U.S. 10, 51 S.Ct. 8, 73 L.Ed. 135. See also Wright, Federal Courts § 50 at 166-67.

Supreme Court has held, however, that the Courts of Appeals are not without power to give guidance "where a single judge has erroneously invaded the province of a three-judge court."[4] We therefore direct that, upon a renewed motion by petitioner, a three-judge district court be expeditiously convened. All due speed is required in this matter so that the questions involved may be resolved well in advance of next year's congressional elections.

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[4] *Idlewild Bon Voyage Liquor Corp. v. Epstein*, 1962, 370 U.S. 713, 716, 82 S.Ct. 1294, 1296, 8 L.Ed.2d 794, ...

APPENDIX A-4

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

EDMOND J. GONG, ET AL, Plaintiffs, vs. HAYDON BURNS, as Governor of the State of Florida, et al., Defendants	NO. 64-143-CIV-EC

ORDER

The Petition of the Plaintiffs with respect to the constitutionality of Chapter 65-2441, Florida Laws, Extra Session, 1965 (S.B. 26-XX) which accomplishes the congressional redistricting of Florida came on for hearing before this Court and the Court being fully advised in the premises, it is hereby

ORDERED and DECREED:

1. Although the constitutionality of Chapter 65-2441, Florida Laws, in the light of the Supreme Court's opinion in *Wesberry v. Sanders*, 376 U.S. 1 (1964) is a very close question, this Court finds Chapter 65-2441, Florida Laws, meets the constitutional standard of *Wesberry v. Sanders* on a temporary basis.

2. If the Florida Legislature can improve the congressional districting of Florida in the light of *Wesberry v. Sanders* at its next session is is hoped it will do so.

3. Manifestly the congressional districts established by Chapter 65-2441, Florida Laws, are not weighted exactly in accord-

ance with mathematical perfection, but the Court takes notice that due to the fact of the ebb and flow of the population in Florida, it is doubtful that an exactly even balance will ever be achieved or will ever be approached within a small percentage.

4. This Court retains jurisdiction of this case until 60 days after the next session of the Florida Legislature so as to then further determine whether the Legislature has redistricted the State of Florida into congressional districts meeting the standard established by *Wesberry v. Sanders*, in light of the then situation.

DONE and ORDERED at Miami, Dade County, Florida this 1st day of March, 1966.

EMETT C. CHOATE
United States District Judge

APPENDIX B-1

Ch. 65-2441

An act relating to establishment of congressional districts; amending section 8.01, Florida Statutes, providing for the division of the state into congressional districts; amending section 8.04, Florida Statutes, providing effective dates.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 8.01, Florida Statutes, is amended to read:

Section 8.01 *Division of State into Congressional Districts.* —The state shall be and the same is hereby divided into twelve (12) congressional districts, the same to be serially numbered, to be designated by such numbers, and to have the areas as follows, to-wit:

(1) The first congressional district shall be constituted by and composed of the counties of Escambia, Santa Rosa, Okaloosa, Walton, Holmes, Washington, Bay and Gulf.

(2) The second congressional district shall be constituted by and composed of the counties of Jackson, Calhoun, Gadsden, Liberty, Franklin, Leon, Wakulla, Jefferson, Madison, Taylor, Lafayette, Dixie, Hamilton, Suwannee, Gilchrist, Levy, Columbia, Baker, Union, Bradford, Nassau, Clay, Putnam, and Alachua.

(3) The third congressional district shall be constituted by and composed of the county of Duval.

(4) The fourth congressional district shall be constituted by and composed of the counties of St. Johns, Flagler, Pasco, Os-

ceola, Citrus, Hernando, Sumter, Marion, Lake, Volusia and Seminole.

(5) The fifth congressional district shall be constituted by and composed of the counties of Orange and Brevard.

(6) The sixth congressional district shall be constituted by and composed of the county of Hillsborough.

(7) The seventh congressional district shall be constituted by and composed of the counties of Polk, Highlands, Hardee, DeSoto, Manatee, and Sarasota.

(8) The eighth congressional district shall be constituted by and composed of the county of Pinellas.

(9) The ninth congressional district shall be constituted by and composed of the counties of Okeechobee, St. Lucie, Martin, Palm Beach, Hendry, Collier, Lee, Indian River, Glades and Charlotte.

(10) The tenth congressional district shall be composed of Broward County and that part of Dade County north of the northern boundary of the eleventh congressional district described in subsection (11). (It being the specific legislative intent to include within said district ten (10) all of Broward County and the lands contained in Dade County voting precincts numbered 2, 3, 4, 5, 6, 7, 8, 211, 212, 213, 214, 215, 216, 239, 240, 241, 242, 247, and 315 as same appear on the official map of voting precincts in and for Dade County, Florida, adopted and approved by the board of county commissioners of Dade County on May 18, 1965 and recorded in Plat Book 79, page 56, public records of Dade County, Florida.)

(11) The eleventh congressional district shall be constituted by and composed of the north portion of Dade County lying south of a line described as follows:

Commencing at the point of intersection of the North county line of Dade County with the East line of Section 34, township fifty-one south (T 51 S), range forty-two east (R 42 E); thence Southerly along said section line to the center line of NE 175th Street; thence Westerly along the center line of NE 175th Street to the center line of NE 22nd Avenue; thence Northerly along the center line of NE 22nd Avenue to the center line of NE 183rd Street; thence Westerly along the center line of NE 183rd Street to the center line of U.S. Highway I-95; thence Southwesterly along the center line of U.S. Highway I-95 to the center line of Golden Glades Drive; thence Westerly along the center line of Golden Glades Drive to the center line of NW 27th Avenue; thence Southerly along the center lne of NW 27th Avenue to the center line of NW 151st Street; thence Westerly along the center line of NW 151st Street to the center line of E 4th Avenue; thence Southerly along the center line of E 4th Avenue to the center line of Gratigny Drive; thence Westerly along the center line of Gratigny Drive to the center line of W 2nd Avenue; thence Northerly along the center line of W 2nd Avenue to the center line of N W135th Street (W 81st Street); thence Westerly along the center line of NW 135th Street to NW 57th Avenue (Red Road); thence Northerly along the center line of NW 57th Avenue to the point of intersection with the North County line of Dade County; and lying north of a line described as follows:

Commencing at the point of intersection of the West County line of Dade county with the center line of the

Tamiami Canal; thence Easterly along the center line of the Tamiami Canal to its intersection with the center line of NW 20th Street; thence Easterly along the center line of NW 20th Street to the center line of NW 12th Avenue; thence Southerly along the center line of NW 12th Avenue to the North bank of the Miami River; thence Easterly along the North bank of the Miami River to the center line of NW and NE 2nd Street; thence Easterly along the center line of NW and NE 2nd Street and an extension thereof to the East city limits of the City of Miami; thence North along the East city limits of the City of Miami to the center line of an extension of 14th Street, Miami Beach; thence Easterly along the center line of said extension of 14th Street to the center line of Dade Boulevard; thence Northeasterly along the center line of Dade Boulevard to the center line of Alton Road; thence Northerly along the center line of Alton Road to the South line of the 36th Street Causeway; thence Easterly along the South line of the 36th Street Causeway and an extension of said line to Biscayne Waterway; thence along the center of Biscayne Waterway to the center line of 34th Street, Miami Beach; thence easterly along the center line of 34th Street to the Atlantic Ocean;

Said watercourses, streets, avenues, roads and city limits being referred to as the same existed and were recorded the 19th day of May, A.D. 1965 in Book 79 of Plats, at page 56 of the Public Records of Dade County, Florida.

(12) The twelfth congressional district shall be constituted by and composed of Monroe County and that part of Dade County South of the Southern boundary of the eleventh congressional district described in subsection (11).

Section 2. Section 8.04, Florida Statutes, is amended to read:

Section 8.04 *Effective Dates.*—Candidates for the office of congressman for each of the districts provided in Section 8.01 shall be nominated in 1966, as provided by law, and a congressman shall be elected from each such district at the general election to be held in 1966. For all other purposes, Section 8.01 shall take effect at the expiration of the term of office of the congressmen now serving from the state.

Approved by the Governor July 7, 1965.

Filed in Office Secretary of State July 7, 1965.